

So here is my question for the chairman, again, whom I have a lot of respect for.

It doesn't kick in for 2 years, but every single day, one of these marine's families is getting scammed, and we all know it. We see it. Why the heck did the trial lawyers spend a billion dollars in ads? out of philanthropy? No, so they can get even wealthier.

So here is my request, and I hope the chairman will take it on. He is the chairman of the Judiciary Committee. We still have time before the end of this year. Bring this to the committee, mark it up. You do markups every Thursday to consider nominees. No offense to the nominees. U.S. marines who are sick are a lot more important. Address this right now.

So if I can get the chairman's commitment to work with me and others who care about this, to mark up this bill and UC it with us before the end of this Congress and get it over to the House to get justice for marines—not for trial lawyers—I would welcome that commitment from the chairman before the end of the year.

Is that something that you would agree to, Mr. Chairman?

Mr. DURBIN. I will agree to work with you on this.

Mr. SULLIVAN. By the end of the year?

Mr. DURBIN. I can't tell you that we are going to achieve it in 3 weeks.

Mr. SULLIVAN. Oh, I think it is pretty easy. It is the Biden Justice Department.

Mr. DURBIN. I hope we can, but let's do it in good faith. I am willing to sit down with you and work on it. Anyone who is trying to exploit these marines, their family, or others who were victims of this contaminated water that has been going on for decades, I have no use for them. But I do believe that in some cases they need good legal representation, and when you cap the fees where you capped them, good lawyers, frankly, are not going to accept cases. That means that marine may not get his day in court and may not get a case presented that is really critical for him and his family.

So let's try to find that happy medium. Let's try to stop the abusing that is going on, if we can. The advertising, I have seen it. Everybody—you can't miss it. It is everywhere, but the point is, let's do it in a conscientious way, thoughtful way, and as quickly as we can.

You introduced this bill almost 2 weeks ago. It is a significant change in the law. To think that we can finish it in 2 weeks, I am not sure, but I will try. At least I will give my good-faith effort to try and reach a place where you and I can agree.

Mr. SULLIVAN. Well, I hope, if you are a member the American Legion or the VFW, you want to call the Senate and tell them to get this done by the end of the year, we welcome your phone calls—welcome your phone calls.

I hope we can get that done, Mr. Chairman. I know some of my other

colleagues—Senator TUBERVILLE also feels very passionate about this.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. TUBERVILLE. Mr. President, I want to thank my colleague Senator SULLIVAN for calling up this important legislation.

You know, I have the pleasure of serving with him on the Armed Services Committee and Veterans' Affairs Committee and am proud to join him in this effort.

You know, the brave men and women who serve in our Armed Forces know they might be asked to pay the ultimate sacrifice, but no person, no matter how selfless, joins the military willing to give up their health or their family's health because of toxic chemicals in their drinking water—nobody does.

Unfortunately, that is the reality faced by many marines who spent time at Camp Lejeune. And since the passage of the PACT Act earlier this year, we have seen unprincipled trial lawyers jump at the chance to take advantage of the situation.

The bill we are discussing closes a loophole in the PACT Act that should not have existed in the first place.

I have 500,000 veterans in the State of Alabama. I got on the Veterans' Committee to help those people.

We worked for almost a year on this PACT Act. It wasn't near complete, but at the State of the Union last year, President Biden gets up and says we are going to get this thing done, and we are going to get it done quick.

Nothing happens quick in this building, I will tell you right now. And if it does happen quick, it doesn't work.

We were probably three-quarters of the way done with it, and last year we were told we are going to take it—from the majority leader in the Senate, and said we are going to take it. We are going to run it through. It wasn't ready to go because we had things like this that were going to be a problem.

I voted against it. I caught heck from my veterans back in Alabama and still catching it. Until today, I am still explaining why I did this. And I told them: It wasn't ready to come out. A \$500 billion bill wasn't ready to come out to help the veterans of this country. It was going to have problems. And I told them: I hope I am wrong. I hope it all works. But here we are, just a few months later, and we have got our first problem. This won't be the last. This will not be the last.

One example is this section 804, the Camp Lejeune Act, while well-intentioned and meant to be right and right a wrong, this section doesn't include a critical guardrail to protect those it meant to protect.

So, currently, bad actors are able to profit from this misfortune of veterans. And, again, hopefully we can get this right. I mean, because if this—and it is not small. This is a defect of the bill that was rushed through for some unknown reason. We are going to have

other problems, but we need to correct this problem first. We are all sick of these dang commercials and all these lawyers making this money.

So as a member of the Senate Veterans' Affairs Committee, I am committed to protecting those who protected us, and I hope we all are in here. This includes doing what I can to fix this PACT Act along with my colleagues on both sides of the aisle.

I am disappointed my colleagues failed their commitment to protecting our veterans in this bill, and hopefully we can get it right.

I yield the floor to my colleague.

Mr. SULLIVAN. Thank you, Senator TUBERVILLE.

I just hope that our colleagues will do what is right for our veterans and get this done by the end of this year.

If you are a veteran or a member of the American Legion or the Marine Corps, call the Senate, call the chairman of the Judiciary Committee. I am willing to work tonight to get this done, but we cannot delay. We cannot do rope-a-dope tactics here in the Senate to give the trial lawyers the money when it should go to U.S. marines and their families.

I also want to call on my colleague Senator BLACKBURN.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes prior to the scheduled vote and that Senator CARDIN be permitted to speak for up to 15 minutes prior to the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOTS ACT

Mrs. BLACKBURN. Mr. President, earlier this month, Ticketmaster truly met its match after hundreds of thousands of Taylor Swift fans walked away empty-handed from a disastrous online ticket presale. Ticketmaster blamed a combination of demand and “a staggering number of bot attacks” for the slow-moving queues and last-minute crashes that left fans furious and with a lot of questions. They still want to know how all of those tickets that were in their carts just disappeared.

Now, this isn't the first time we have seen Ticketmaster struggle to manage bot attacks. Other popular tours have given their web developers a workout. But this time, the company failed on such an unprecedented scale that people who don't follow popular music know exactly what happened. Anytime a major company causes this level of disappointment in their customers, we see consumer protection advocates launch new demands for antitrust investigations.

And I am sure most of my colleagues know that has happened here in the Senate. Some of my Judiciary Committee colleagues have already promised a hearing to explore potential antitrust violations of Ticketmaster. But here's the problem: Spending more

time and resources examining competition in the online ticket marketplace isn't going to solve the problem that caused this mess. To do that, we need to back up and understand how bots actually work.

All ticket sellers use technological safeguards to impose limits on the number of tickets each buyer can purchase. Your average ticket buyer doesn't have the skills to sidestep those limits, but modern-day scalpers do. All they need to do is write a software program—or a bot—to get around those safeguards. Because of the way these bots work, one scalper can purchase hundreds or thousands of tickets in just seconds after they go on sale. When this happens, real consumers end up at the back of the line because no matter how fast you click, you are not going to beat a bot.

Fortunately, we already have a way to solve this problem that will benefit both the artist and their fans. In 2016, when I was still serving in the House, I led congressional efforts to pass the Better Online Ticket Sales Act, also known as the BOTS Act. Senator SCHUMER led that effort here in the Senate.

This bill made it unlawful for scalpers to circumvent the controls used by ticket issuers to limit sales. It also created a backstop: If the scalpers do manage to get their hands on too many tickets, the BOTS Act made it illegal for scalpers to resell those tickets on the secondary market. The BOTS Act passed the Federal Trade Commission with enforcement authority, but the FTC has not followed through.

In January 2021, the FTC took its first and only enforcement action under the BOTS Act against three New York-based brokers for conduct that began in 2017. That is one enforcement action in 6 years.

Now, one of two things can be true here: Either the existing enforcement mechanisms are faulty, or the FTC's approach to using them is faulty. This is the investigation that we should focus on.

I want to thank my colleague, Senator BLUMENTHAL, for helping me kick it off. This week, we sent a letter to the FTC asking a few very simple questions about how they are using their BOTS Act authority.

First, does the FTC have any pending enforcement actions?

Second, why has the FTC only undertaken a single enforcement action to date?

Third, are there any obstacles preventing the FTC from exercising its authority?

And, finally, are there other solutions Congress needs to consider in conjunction with the BOTS Act?

The Commissioners have a choice. They can either tell us how we can expect them to use their BOTS authority in the future, or they can tell us what they need to get the job done.

The trickle-down effects of their failure to enforce the law have put music fans in a bind, but it is important to

remember that the entertainment industry is not the only industry that will suffer if the FTC does not do its job.

Especially since the beginning of the pandemic, we have seen entire industries move their operations online. This has presented scalpers and bot programmers with a golden opportunity to branch out and start forcing consumers into secondary markets for sports tickets, movie tickets, sneakers, video game consoles, popular toys, and other items that come with limited availability. In 2021, tickets for the opening of the newest Spiderman movie went for \$100 on the secondary market—which is about five times the regular price of a movie ticket.

Now, you may not care about concerts or movies, but consider how this could eventually trickle down to affect the things that you really do care about. Anywhere you find that combination of scarcity and popularity, you are going to find bots blocking access to the market. And for the average person, there is nothing that individual is going to be able to do about it.

We, however, can do something about this; but as I said, an antitrust investigation isn't going to get the job done. If my colleagues want to fulfill their promise to fix the problems that led so many music fans to be disappointed earlier this month, they need to join me and Senator BLUMENTHAL in working with the FTC to enforce the law against these ticket scalpers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

CLIMATE CHANGE

Mr. CARDIN. Mr. President, one of the greatest challenges we have is climate change. We are seeing the cost of inaction: the flooding that is occurring very frequently here in the United States and around the world; the forest fires that we have experienced here in the United States; droughts; extreme weather events occurring more frequently, including in my own State, where we had two 100-year floods within 20 months in Ellicott City, MD; climate migrants, people who can no longer live in their communities because of the rising sea levels. It is an urgent issue for us to address.

So I want to share with my colleagues the recent codell I led to the COP27 climate discussions at Sharm el-Sheikh, Egypt. I was joined in that codell with Senator WHITEHOUSE and Senator MARKEY. We were there November 10 through 12 for approximately 2½ days.

COP27 is the United Nations climate change conference. It was my fourth conference that I have led Senators to attend to deal with the climate issues with the international community.

My first was in 2015, COP21 in Paris, in which the U.S. leadership under the Obama administration was able to bring together the global community to a commitment that we needed to limit the rising heat—rising tempera-

tures to no more than 1.5 degrees Celsius. But we also needed that commitment among all nations. And we got that in Paris. It was a major accomplishment, thanks to U.S. leadership.

I returned to a COP23 meeting in 2017 in Bonn. That is when President Trump had withdrawn the United States from the climate discussions and from Paris. We were there to make it clear that the United States was still committed to our participation in doing what is responsible to reverse the trend of rising climate heat.

I then attended the COP meeting in 2021, COP26 in Glasgow. I was pleased to report at that time with my colleagues that America was back. This was after President Trump had withdrawn and President Biden reengaged the United States in the global climate discussions. We were very strong in our language, but the international community wanted to know if the United States would back those words with action.

So I was very pleased that in 2022, at the COP27 meetings in Sharm el-Sheikh. We could say, in fact, that the United States was back, that we have acted; we have taken action. And I must tell you that the international community was very impressed by what we have been able to do in this Congress, what the Biden administration has been able to do on the climate agenda. In fact, one complaint I got is that—from our traditional allies is that we may have done too much, and they are not sure they can compete with us in regards to the renewable energy industry. That is a nice situation for us to be in as the leader of the world.

So we talked about the passage of the bipartisan infrastructure bill, which was our first major investment into electric vehicle infrastructure for green infrastructure.

But the passage of the Inflation Reduction Act was a game changer. It was the largest investment in climate change by a nation ever—\$369 billion we were able to get done. It provided many incentives and many different buckets in areas in order to deal with our commitment to reduce emissions. It provided incentives for electric vehicles. It provided incentives for a battery supply chain here in the United States. It provided incentives for offshore wind, a major renewable energy source. And the list goes on and on and on.

It included a major commitment on environmental justice, because we know vulnerable communities are more vulnerable, those that are the traditionally underserved communities are more vulnerable to the effects of climate change. We need to make sure that we help these communities deal with these challenges.

The bottom line that what we can report at the COP27 conference is the United States is on target to meet our emission goals. We have taken decisive action in order to achieve the goals